

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

| | |
|----------------------|----------------------|
| Application Number | 09/814,123 |
| Filing Date | March 22, 2001 |
| First Named Inventor | Derk J. Hogenkamp |
| Examiner Name | Shameem, G. |
| Group Art Unit | 1626 |
| Attorney Docket No. | 1861.1270001/JMC/THN |

TOTAL AMOUNT OF PAYMENT (\$)**420.00**

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number: 19-0036
Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.

☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☒ Other*

*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

FEE CALCULATION

1. BASIC FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------|-----------------|----------------|-----------------|------------------------|----------|
| 101 | 740 | 201 | 370 | Utility filing fee | |
| 106 | 330 | 206 | 165 | Design filing fee | |
| 107 | 510 | 207 | 255 | Plant filing fee | |
| 108 | 740 | 208 | 370 | Reissue filing fee | |
| 114 | 160 | 214 | 80 | Provisional filing fee | |

SUBTOTAL (1) (\$) **0.00**

2. EXTRA CLAIM FEES

| Total Claims | Extra | Fee from below | Fee Paid |
|---------------------------|-------|----------------|----------|
| 29 - 25** = 4 | X | 18 | 72.00 |
| Indep. Claims 7 - 5** = 2 | X | 84 | 168.00 |
| Multiple Dependent | | | |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description |
|----------------|-----------------|----------------|-----------------|---|
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 |
| 104 | 280 | 204 | 140 | Multiple dependent claim |
| 108 | 84 | 209 | 42 | **Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) **240.00**

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee paid |
|----------|----------|----------|----------|--|----------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 400 | 216 | 200 | Extension for reply within second month | |
| 117 | 920 | 217 | 460 | Extension for reply within third month | |
| 118 | 1,440 | 218 | 720 | Extension for reply within fourth month | |
| 128 | 1,960 | 228 | 980 | Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 | Notice of Appeal | |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,280 | 241 | 640 | Petition to revive - unintentional | |
| 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 | Design issue fee | |
| 144 | 620 | 244 | 310 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 130 | 123 | 130 | Petitions related to provisional applications | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | 180.00 |
| 581 | 40 | 481 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 740 | 246 | 370 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 149 | 740 | 249 | 370 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |

Other fee (specify):

Other fee (specify):

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) **180.00**

SUBMITTED BY

Complete (if applicable)

| | | | | | |
|-------------------|----------------|-----------------------------------|---------------|-----------|--------------|
| Name (Print/Type) | John M. Covert | Registration No. (Attorney/Agent) | 38,759 | Telephone | 202-371-2600 |
| Signature | | Date | Dec. 13, 2001 | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SKGF Rev. 10/01/01 mnac

REPLY 111&IDS.FEE.WPD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hogenkamp *et al.*

Appl. No. 09/814,123

Filed: March 22, 2001

For: **Aryl Substituted Pyrazoles,
Triazoles and Tetrazoles, and
the Use Thereof**

Confirmation No. 2060

Art Unit: 1626

Examiner: Shameem, G.

Atty. Docket: 1861.1270001/JMC/THN

Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following, in regards to non-English language documents AL1 and AL2 cited on Form PTO 1449:

Document **AL1**, German Patent No. DE 19 36 760 is in the German language. An English language abstract of document AL1 is attached as document **AT15**.

Document **AM1**, German Patent No. DE 29 10 330 A1 is in the German language. An English language abstract of document AM1 is attached as document **AR16**.

Document **AL3**, Japanese Patent No. JP 11 199566 A is in the Japanese language. An English language abstract of document AL3 is attached as document **AS16**.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

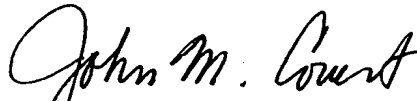
This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. Attached is our Check No. 33531 in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



John M. Covert
Attorney for Applicants
Registration No. 38,759

Date: Dec. 13, 2001

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600

FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
1861.1270001/JMC/THNAPPLICATION NO.
09/814,123APPLICANT
Hogenkamp *et al.*FILING DATE
March 22, 2001GROUP
1626

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB-CLASS | FILING DATE |
|---------------------|-----|-----------------|------------|-----------------------|-------|-----------|-------------|
| | AA1 | 3,049,438 | 08/14/1962 | Buell and Long | 117 | 33.5 | 11/03/1958 |
| | AB1 | 3,058,989 | 10/16/1962 | Buell and Long | 260 | 296 | 11/26/1957 |
| | AC1 | 4,072,498 | 02/07/1978 | Moon <i>et al.</i> | 71 | 92 | 05/14/1976 |
| | AD1 | 4,394,514 | 07/19/1983 | Kruse, L.I. | 548 | 508 | 06/29/1981 |
| | AE1 | 4,454,337 | 06/12/1984 | Kruse, L.I. | 560 | 22 | 03/02/1983 |
| | AF1 | 4,639,266 | 01/27/1987 | Heubach <i>et al.</i> | 71 | 92 | 09/09/1985 |
| | AG1 | 4,962,011 | 10/09/1990 | Aldag <i>et al.</i> | 430 | 281 | 05/17/1988 |
| | AH1 | 5,134,142 | 07/28/1992 | Matsuo <i>et al.</i> | 514 | 255 | 09/14/1990 |
| | AI1 | 5,670,533 | 09/23/1997 | Matsuo <i>et al.</i> | 514 | 106 | 12/28/1995 |
| | AJ | | | | | | |
| | AK | | | | | | |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB-CLASS | TRANSLATION |
|---------------------|-----|-----------------|------------|---------------|-------|-----------|--------------------|
| | AL1 | DE 19 36 760 | 01/22/1970 | Germany | | | Abstract Yes No |
| | AM1 | DE 29 10 330 A1 | 10/02/1980 | Germany | | | Abstract Yes No |
| | AN1 | GB 2 105 327 A | 03/23/1983 | Great Britain | | | Yes No |
| | AO1 | EP 0 273 528 A1 | 07/06/1988 | Europe | | | Yes No |
| | AP1 | EP 0 323 841 A2 | 07/12/1989 | Europe | | | Yes No |

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

| | | | |
|--|----|---|---|
| | AR | 1 | Arient, J. and Dvořák, J., "Triphenylmethane dyes. II. Introduction of the triazole group into the triphenylmethane skeleton," <i>Chem. Abstracts</i> 52:Abstract No. 12401i, The American Chemical Society (1958). |
| | AS | 1 | Baud, J., <i>et al.</i> , "CGP 31358 binds to a site on the NMDA receptor that is coupled to both the transmitter recognition site and the channel domain," <i>Neurosci. Lett.</i> 107:184-188, Elsevier Scientific Publishers Ireland Ltd. (1989). |
| | AT | 1 | Bensimon, G., <i>et al.</i> , "A Controlled Trial of Riluzole in Amyotrophic Lateral Sclerosis," <i>New Eng. J. Med.</i> 330:585-591, Massachusetts Medical Society (1994). |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449
INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
 1861.1270001/JMC/THN

APPLICATION NO.
 09/814,123

APPLICANT
 Hogenkamp *et al.*

FILING DATE
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| | AA | | | | | | |
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|---------------------|-----|-----------------|------------|---------|-------|-----------|-------------|
| | AL2 | EP 0 323 841 A3 | 09/12/1990 | Europe | | | Yes No |
| | AM2 | EP 0 488 959 A2 | 06/03/1992 | Europe | | | Yes No |
| | AN2 | EP 0 323 841 B1 | 08/04/1993 | Europe | | | Yes No |
| | A02 | WO 96/11911 | 04/25/1996 | WIPO | | | Yes No |
| | AP2 | WO 97/07102 | 02/27/1997 | WIPO | | | Yes No |

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

| | | | |
|--|----|----------|---|
| | AR | <u>2</u> | Brown, J.B. and Stammers, D.W., "Yellow color images by silver and dye bleaching," <i>Chem. Abstracts</i> 57:Abstract No. 12673d, The American Chemical Society (1962). |
| | AS | <u>2</u> | Brown, C.M., <i>et al.</i> , "Neuroprotective properties of lifarizine compared with those of other agents in a mouse model of focal cerebral ischaemia," <i>Br. J. Pharmacol.</i> 115:1425-1432, Stockton Press (August 1995). |
| | AT | <u>2</u> | Buchan, A.M., <i>et al.</i> , "AMPA Antagonists: Do They Hold More Promise for Clinical Stroke Trials Than NMDA Antagonists," <i>Suppl. 1 Stroke</i> 24:148-152, Lippincott Williams and Wilkins (1993). |

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|---------------------|-----|-----------------|------------|---------|-------|-----------|--------------------|
| | AL3 | JP 11 199566 A | 07/27/1999 | Japan | | | Abstract Yes No |
| | AM3 | WO 99/62885 | 12/09/1999 | WIPO | | | Yes No |
| | AN3 | WO 00/57877 | 10/05/2000 | WIPO | | | Yes No |
| | A03 | EP 1 081 146 A1 | 03/07/2001 | Europe | | | Yes No |
| | AP | | | | | | Yes No |

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

| | | | |
|--|----|----------|---|
| | AR | <u>3</u> | Catterall, W.A., "Structure and Function of Voltage-Sensitive Ion Channels," <i>Science</i> 242:50-61, American Association for the Advancement of Science (1988). |
| | AS | <u>3</u> | Catterall, W.A., "Neurotoxins That Act on Voltage-Sensitive Sodium Channels in Excitable Membranes," <i>Ann. Rev. Pharmacol. Toxicol</i> 20:15-43, Annual Reviews Inc. (1980). |
| | AT | <u>3</u> | Catterall, W.A., "Common modes of drug action on Na ⁺ channels: local anesthetics, antiarrhythmics and anticonvulsants," <i>Trends Pharmacol. Sci.</i> 8:57-65, Elsevier Science Publishers B.V. (1987). |

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| | AL | | | | | | Yes No |
| | AM | | | | | | Yes No |
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| | AO | | | | | | Yes No |
| | AP | | | | | | Yes No |

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

| | | | |
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| | AR | <u>4</u> | Cocco, M.T., <i>et al.</i> , "Phytotoxic Activity in Pyrazole Derivatives II," <i>Il Farmaco Ed. Sc.</i> 40:272-284, Societa Italiana Di Scienze Farmaceutiche (1985). |
| | AS | <u>4</u> | Creveling, C.R., <i>et al.</i> , "Batrachotoxin-Induced Depolarization and [³ H] Batrachotoxinin-A 20 α -Benzoate Binding in a Vesicular Preparation from Guinea Pig Cerebral Cortex," <i>Mol. Pharmacol.</i> 23:350-358, The American Society for Pharmacology and Experimental Therapeutics (1983). |
| | AT | <u>4</u> | Dal Monte, D. and Veggetti, P., "Derivatives of pyrazolone and pyrazolyl carbamates," <i>Chem. Abstracts</i> 53:Abstract No. 8122f, The American Chemical Society (1959). |

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| | AP | | | | | | Yes No |

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

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| | AR | <u>5</u> | Denicoff, K.D., <i>et al.</i> , "Efficacy of Carbamazepine Compared With Other Agents: A Clinical Practice Survey," <i>J. Clin. Psychiatry</i> 55:70-76, Physicians' Postgraduate Press, Inc. (1994). |
| | AS | <u>5</u> | Dimmock, J.R., <i>et al.</i> , "Evaluation of the thiosemicarbazones of some aryl alkyl ketones and related compounds for anticonvulsant activities," <i>Eur. J. Med. Chem.</i> 26:529-534, Elsevier Science (1991). |
| | AT | <u>5</u> | Donaldson, I., "Tegretol: A double blind trial in tinnitus," <i>J. Laryngol. Otol.</i> 95:947-951, Royal Society of Medicine Press (1981). |

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| | AP | | | | | | Yes No |

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

| | | | |
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| | AR | <u>6</u> | Filer, C.N., "Chapter 6, The Preparation and Characterization of Tritiated Neurochemicals," <i>In: Isotopes in the Physical and Biomedical Sciences, Volume 1, Labelled Compounds (Part A)</i> , Buncel, E. and Jones, J.R. eds., pp.156-192, Elsevier Science Publishers B.V. (1987). |
| | AS | <u>6</u> | J.R. Geigy A.-G., "Diazo dyes," <i>Chem. Abstracts 60:Abstract No. 12144b</i> , The American Chemical Society (1964). |
| | AT | <u>6</u> | Graham, S.H., <i>et al.</i> , "Neuroprotective Effects of a Use-Dependent Blocker of Voltage-Dependent Sodium Channels, BW619C89, in Rat Middle Cerebral Artery Occlusion," <i>J. Pharmacol. Exp. Ther.</i> 269:854-859, The American Society for Pharmacology and Experimental Therapeutics (1994). |

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| | AL | | | | | | Yes No |
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| | AP | | | | | | Yes No |

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

| | | | |
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| | AR | <u>7</u> | Graham, S.H., <i>et al.</i> , "A Dose-Response Study of Neuroprotection Using the AMPA Antagonist NBQX in Rat Focal Cerebral Ischemia," <i>J. Pharmacol. Exp. Ther.</i> 276:1-4, The American Society for Pharmacology and Experimental Therapeutics (1996). |
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